

# UNITED STATES BANKRUPTCY COURT

Northern District of California (San Jose)

## Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors & Deadlines

A chapter 11 bankruptcy case concerning the debtor(s) listed below was filed on 7/22/13.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case except for Proofs of Claim may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

### **Creditors – Do no file this notice in connection with any proof of claim you submit. See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Mi Pueblo San Jose, Inc.

*fdba* Mi Pueblo Mountain View, Inc.,

*fdba* Mi Pueblo Downtown, Inc.,

*dba* Mi Pueblo Food Center

Case Number:  
13-53893

Social Security / Individual Taxpayer ID / Employer  
Tax ID / Other nos:  
77-0436936

#### **Attorney for Debtor(s) (name and address):**

Heinz Binder

Law Offices of Binder and Malter

2775 Park Ave.

Santa Clara, CA 95050

Telephone: (408) 295-1700

E-Mail Address: heinz@binderhalter.com

## Meeting of Creditors

**Date: August 28, 2013**

**Time: 2:30 PM**

**Location: U.S. Federal Bldg., 280 S. First St. #130, San Jose, CA 95113**

### **CREDITORS ARE WELCOME TO ATTEND, BUT ARE NOT REQUIRED TO DO SO.**

The meeting may be continued and concluded at a later date without further notice.

Important Notice: Access to the building requires a valid government-issued photo identification.

### **Deadlines to File a Proof of Claim**

Proof of claim must be *received* by **Rust Consulting/Omni Bankruptcy** by the following deadline:

For all creditors (except a governmental unit): **11/26/13** For a governmental unit: **Must file before 180 days  
after the date relief was entered.**

#### **Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

#### **Deadline to File a Complaint to Determine Dischargeability of Certain Debts:**

**PLEASE DO NOT FILE A PROOF OF CLAIM WITH THE BANKRUPTCY COURT.**

If you have already done so, you are not required to file another Proof of Claim.

If you have not already filed a Proof of Claim, please file your Proof of Claim with:

Mi Pueblo San Jose, Inc.  
c/o Rust Consulting/Omni Bankruptcy  
5955 DeSoto Avenue, Suite 100  
Woodland Hills, CA 91367

**THE BANKRUPTCY COURT SHOULD NOT RECEIVE ANY PROOFS OF CLAIM FILED ELECTRONICALLY OR IN PAPER RELATING TO THIS CASE.** If you require additional information regarding the filing of a Proof of Claim or creditor information, please call Debtors' counsel at (408) 295-1700.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:	
280 South First Street Room 3035 San Jose, CA 95113	
Hours Open: Monday – Friday 9:00 AM – 4:30 PM	
For the Court:	
Clerk of the Bankruptcy Court: Gloria L. Franklin	
Date: July 25, 2013	

## EXPLANATIONS

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under Chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business. You may obtain more information by calling (408) 295-1700.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice. The court, after notice and a hearing, may order that the United States trustee not convene the meeting if the debtor has filed a plan for which the debtor solicited acceptances before filing the case.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. A Proof of Claim form ("Official Form B 10") can be obtained at the United States Courts website: ( <a href="http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx">http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx</a> ) or at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you filed a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all <i>or</i> if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim and may be unable to vote on the plan. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. <b>Filing Deadline for a Creditor with a Foreign Address:</b> The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side, if any. The bankruptcy clerk's office must receive the complaint and any required filing fee by that

Deadline.	
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the second page with the exception of Proofs of Claim, which <b>MUST</b> be filed with <b>Rust Consulting/Omni Bankruptcy</b> . With the exception of Proofs of Claim, you may inspect all papers filed, including the list of the debtors' property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
<b>Attorney for Debtor:</b> Heinz Binder Law Offices of Binder and Malter 2775 Park Ave. Santa Clara, CA 95050 Telephone: (408) 295-1700 E-Mail Address: <a href="mailto:heinz@bindermalter.com">heinz@bindermalter.com</a>	
-- Refer to Other Side for Important Deadlines and Notices --	
<b>You may obtain more information by calling (408) 295-1700.</b>	